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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,142	07/24/2003	Paul A. Burgio	58359US003	9324
33692	7590	06/18/2009		
3M INNOVATIVE PROPERTIES COMPANY PO BOX 33427 ST. PAUL, MN 55133-3427				
EXAMINER				
SUTTON, DARRYL C				
ART UNIT		PAPER NUMBER		
1612				
NOTIFICATION DATE		DELIVERY MODE		
06/18/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: MAHFUZA B. ALI, PAUL A. BURGIO and SUMITA B.
MITRA

Application No. 10/626,142
Technology Center 1600

Mailed: June 16, 2009

Before Deborah L. PERRY, *Supervisory Paralegal Specialist, Review Team*
PERRY, *Supervisory Paralegal Specialist, Review Team*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on June 8, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

DECISION ON PETITION UNDER 37 CFR §1.181(a)

Appellant(s) filed a **Petition under 37 CFR §1.181(a)** dated **May 7, 2009**. Appellant's Petition has been granted as set forth in the Petition Decision dated May 20, 2009.

In that decision, it was indicated that the application was being forwarded to the examiner to issue a corrected Examiner's Answer (see page 4 of the Decision).

There is no indication on the record that the Examiner has acted in accordance with the instructions on page 4 of the above Decision.

Accordingly, it is **ORDERED** that the application is returned to the Examiner:

- 1) to issue a corrected Examiner's Answer (see pg. 4 of Decision, as indicated above); and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DLP/klh

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